

# **Exhibit J**

HIGHLY CONFIDENTIAL UNDER THE PROTECTIVE ORDER

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE: APPLE IPHONE  
ANTI-TRUST LITIGATION  
  
AND RELATED ACTIONS. ) Civil Action No.  
4:11-cv-06715YGR

HIGHLY CONFIDENTIAL UNDER THE PROTECTIVE ORDER

DEPOSITION OF:

C.K. HAUN, VOLUME I  
WEDNESDAY, JANUARY 13, 2021  
9:00 A.M.

Reported by: GINA M. CLOUD  
CSR No. 6315

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Deposition of C.K. HAUN, the witness, taken  
on behalf of the Plaintiffs, on Wednesday, January  
13, 2021, at 9:00 a.m., via Virtual Zoom, pursuant  
to NOTICE.

APPEARANCES OF COUNSEL:

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FOR CONSUMER CLASS PLAINTIFFS:

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Page 3

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8  
9 ALSO PRESENT:

10 Kiego Painter, Videographer

Matthew Riesdorph

11 Judah Weinerman

Jennifer Fine, Esq.

12 Stephanie Brown, Esq.

1 Q. Tell me about your career from then until  
2 around the period when Apple launched its App Store.  
3 Take me through the roles you played between that  
4 period and the time when Apple launched App Store.

5 A. I was a developer technical support engineer  
6 until 1994. At that point I moved into the Macintosh  
7 system software engineering team and wrote and  
8 applied software fixes to various portions of the Mac  
9 operating system.

10 In late 1995, I briefly left the company to  
11 join a startup; Be Incorporated. It is B as in  
12 baker, E as in echo, incorporated.

13 I worked there for roughly six months, left  
14 that company, returned to Apple. At that point I was  
15 given responsibility for the engineering side of the  
16 Mac OS 8 system software release, so I managed the  
17 software engineering team for that operating system  
18 release.

19 When that operating system release was  
20 completed, I worked on some of the design and  
21 foundational pieces of what would become Mac OS X,  
22 and in 1998 I was approached by the management of the  
23 Apple developer organization to take the director's  
24 job of developer technical support. I accepted and I  
25 have had that role since then.

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1 Q. What did that role entail?

2 A. My responsibilities at that point were to  
3 direct the team of developer technical support  
4 engineers in the appropriate areas to focus to assist  
5 our third-party developer community.

6 I also had the opportunity to work with  
7 various system software teams and provide feedback  
8 from the third-party community on technologies they  
9 were developing.

10 Along the time between 1998 and present, I  
11 also had responsibility for the Evangelism team for  
12 two years when their leadership left the company. I  
13 also started the App Review team when we opened the  
14 iPhone App Store.

15 Q. How long were you responsible for the App  
16 Review team?

17 A. I was responsible for the App Review team  
18 from -- I will phrase this as from planning through  
19 launch and execution, so that would be roughly a year  
20 and five months I would describe it.

21 [REDACTED]  
[REDACTED]  
[REDACTED].

24 Q. What do you enjoy about providing developer  
25 technical support?

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1 intended for use by any third-party application who  
2 uses them within the criteria of the documentation,  
3 our guidelines and the program license agreement.

4           Private APIs are application interfaces in  
5   the operating system that are not available for  
6   third-party use.

7 Q. Do third-party developers know of the  
8 existence of the private APIs?

9           A.    I do not know if all third parties are aware  
10   of a particular private API.

11 Q. Can you give me an example of a particular  
12 private API just in application?

13           A.    Would you like the specific name or would  
14    you like a characterization of what it may do?

15 Q. A characterization is fine.

16

Response	Percentage
Yes	16%
No	84%

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Q. How does a developer know, third-party developer, is it able to use the private APIs?

A. No.

Q. So how is that relevant to a review of the application?

A. The use of private APIs is prohibited by the Apple Developer Program license agreement and The App Review Guidelines; however, there have been occasions where information about a particular private API has become public and third-party applications have attempted to incorporate them into their applications that they want to provide to customers through the iOS App Store.



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1 A. Correct.

2 Q. How does an iOS device recognize an app  
3 that it can launch?

4 A. How technical do you want to get into this?

5 Q. Let's start functionally and then we'll  
6 drill down.

7 A. When the operating system requests an app to  
8 be installed from the iOS App Store, the app is  
9 downloaded to the device. And I'll use "device" to  
10 cover iPad, iPod Touch, iPhone, Apple TV.

11 What a consumer or layman sees as an app,  
12 one single icon on their desktop or on the launch  
13 screen of an iOS device, is in fact a folder. And  
14 the folder contains a variety of files. There are  
15 files that have different extensions, which I assume  
16 most people are familiar with; it's the numbers or  
17 letters after the period character in a file name,  
18 like PDF or dot MOV or dot MP3.

19 There are a series of files inside that  
20 folder and other subfolder that identify the  
21 different components of the application.

22 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The image is entirely black and contains no visible content.

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

18

Q. Other than the App Store and other than the

19

enterprise program, are there other ways that an iOS

20

app can be loaded onto -- launched -- are there

21

other sources by which an iOS app can get -- native

22

iOS app can get to a phone?

23

A. Yes.

24

Q. I saw a reference to something about

25

developers getting 100 apps they could distribute.

1 apps?

2 A. I have a high level of confidence in the  
3 robustness of our automated tooling and the skills of  
4 the members of our App Review team.

5 Q. Do you recall an incidence where a school  
6 shooting game was uploaded to the App Store and on  
7 sale soon after the shooting incident?

8 A. I have a vague memory of that, yes.

9 Q. Can we pull up tab 18. And this will be --  
10 I'll give you the Exhibit Number. It takes a little  
11 bit to come over to you. This will be Exhibit 130.

12 (The document referred to was marked as  
13 Exhibit 130 for identification and is attached  
14 hereto.)

15 BY MR. KELLY:

16 Q. We'll wait until you get that on your  
17 screen.

18 A. And I see it and I'm opening it. Yes, I see  
19 this e-mail.

20 Q. Mr. Haun, you recognize Exhibit 130 as an  
21 e-mail you sent to the group of individuals in  
22 November of 2015 with the subject [REDACTED]

24 Do you see that?

25 A. Yes.

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[REDACTED]

A. As I mentioned, we have spent a great deal of engineering resources, people resources and other

[illegible]

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[REDACTED]

[REDACTED]

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[REDACTED]

1 long time to do that correctly, so I purchased a  
2 software development kit that contained some code and  
3 a number of APIs that I could use in my application  
4 to draw graphical text onto the screen.

5 Q. The entity providing that kit, those APIs,  
6 is that always the OS developer, or can it be third  
7 parties?

8 A. I'm sorry, I did not mean to imply that it  
9 was the OS developer. That was not. That was a  
10 third-party library.

11 Q. We referred to private APIs that Apple has;  
12 do you remember that?

13 A. Yes.

14 Q. What is a private API?

15 A. A private API is a connection point to  
16 system functionality which is not available to a  
17 third-party developer.

18 Q. What are the reasons Apple would choose to  
19 make those APIs not available to third-party  
20 developers?

21 A. There are a number of reasons. One of the  
22 first and the highest priority ones is the operating  
23 system may not want to vend an API that could expose  
24 privacy or security risks to a customer.

25 Another very common reason is the private



```
1  API has been designed for a very narrow use.
```

[illegible]

16           The third characteristic of private APIs is  
17   they are a private API today, so our engineering  
18   teams can validate the points I was making about the  
19   other API and have a level of confidence that there  
20   has been enough time and enough usage of the API to  
21   make a decision to say yes, we believe we can be  
22   providing a service to third-party developers versus  
23   a detriment by promoting this from a private API to a  
24   public API.

25

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REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

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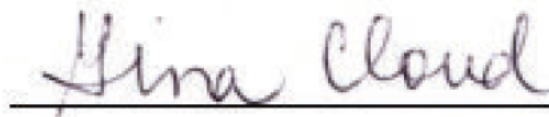
1 I, GINA M. CLOUD, a certified shorthand  
2 reporter for the State of California, do hereby  
3 certify:

4 that prior to being examined, the  
5 witness named in the foregoing deposition, was by me  
6 duly sworn to testify the truth, the whole truth,  
7 and nothing but the truth pursuant to Section No.  
8 2093 of the Code of Civil Procedure;

9 That said deposition was taken before  
10 me pursuant to notice, at the time and place therein  
11 set forth, and was taken down by me in shorthand and  
12 thereafter reduced to typewriting via computer-aided  
13 transcription under my direction;

14 I further certify that I am neither  
15 counsel for, nor related to, any party to said  
16 action, nor in anywise interested in the outcome  
17 thereof.

18 IN WITNESS WHEREOF, I have hereunto  
19 subscribed my name this 14th day of January,  
20 2021.

21  
22   
23

GINA M. CLOUD

CSR No. 6315

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**\*\* HIGHLY CONFIDENTIAL UNDER THE PROTECTIVE ORDER \*\***

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

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**IN RE APPLE iPHONE ANTITRUST  
LITIGATION**

)  
)  
) Civil Action No.  
) 4:11-cv-06715YGR  
)  
)

**ZOOM VIDEOTAPED DEPOSITION OF C.K. HAUN  
VOLUME II**

**Palo Alto, California  
Thursday, January 14, 2021**

**Reported by:**

**LORI M. BARKLEY, CSR No. 6426**

**PAGES 250 - 348**

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1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
3 OAKLAND DIVISION  
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7 )  
8 IN RE APPLE iPHONE ANTITRUST ) Civil Action No.  
9 LITIGATION ) 4:11-cv-06715YGR  
10 )  
11 )

12 Zoom Videotaped deposition of C.K. HAUN,  
13 Volume II, taken on behalf, at Palo Alto, California,  
14 beginning at 9:08 a.m., and ending at 11:41 a.m., on  
15 Thursday, January 14, 2021, before LORI M. BARKLEY,  
16 Certified Shorthand Reporter No. 6426.  
17  
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12  
13  
14 Also present:

15 Curt Norris, Videographer

16 Jennifer Brown; Stephanie Fine (Apple)

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[REDACTED]

17

Q. I will represent to you that according to

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Mr. Lawson's LinkedIn page, he joined Apple sometime

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in 2016 after XcodeGhost.

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[REDACTED]

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BY MR. RIFKIN:

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Q. Let's unpack that just a little bit. First

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of all, dev tools stands for development tools, yes?

14

A. Developer tools.

15

Q. Developer tools. And is developer tools a

16

particular team at Apple?

17

A. Yes.

18

Q. And how did that relate to your team?

19

A. In broad terms, my team does its job by

20

assisting third party developers in their development

21

of applications for Apple platforms and as part of

22

that, a large majority of the time that my engineers

23

spend working on technical issues related to building

24

code for iOS and other apps, they use the developer

25

tools like Xcode, to perform their work that is in

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1 general, the relationship.

2 My engineers are a client of the products  
3 that developer tools produces.

4 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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1 STATE OF CALIFORNIA ) ss.  
2 COUNTY OF LOS ANGELES )  
3

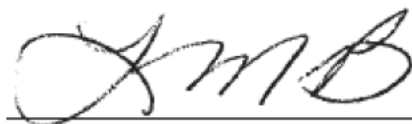
4 I, Lori M. Barkley, CSR No. 6426, do hereby  
5 certify:

6 That the foregoing deposition testimony  
7 taken before me at the time and place therein set  
8 forth and at which time the witness was administered  
9 the oath;

10 That the testimony of the witness and all  
11 objections made by counsel at the time of the  
12 examination were recorded stenographically by me, and  
13 were thereafter transcribed under my direction and  
14 supervision, and that the foregoing pages contain a  
15 full, true and accurate record of all proceedings and  
16 testimony to the best of my skill and ability.

17 I further certify that I am neither counsel  
18 for any party to said action, nor am I related to any  
19 party to said action, nor am I in any way interested  
20 in the outcome thereof.

21 IN WITNESS WHEREOF, I have subscribed my  
22 name this 14th day of January, 2021.

23   
24

25 LORI M. BARKLEY, CSR No. 6426